



Docket No. 239775US0DIV

"RESPONSE UNDER 37 CFR 1.113-  
EXPEDITED PROCEDURE EXAMINING  
GROUP 1616"

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: David LEWIS, et al.

GAU: 1616

SERIAL NO: 10/612,072

EXAMINER: Haghighatian, M.

FILED: July 3, 2003

FOR: PRESSURISED METERED DOSE INHALERS (MDI)

**NOTICE OF APPEAL**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated June 21, 2005

The items checked below are appropriate:

- ☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for \_\_\_\_\_ months.
- ☒ A timely response to the final rejection is attached herewith.
- ☒ A Petition for Extension of Time for filing the Notice of Appeal is attached.
- ☐ A Pre-Appeal Brief Request for Review is attached.

Fee: \$500.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A check is Enclosed
- ☒ A credit card payment form is enclosed
- ☐ Charge to Deposit Account No. 15-0030 (an additional copy of this notice is enclosed herewith).
- ☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.
- ☒ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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